<div align="center">Remarks</div>

The present amendment responds to the Official Action dated January 27, 2005. The Official Action objected to the present application claiming the benefit of provisional application 60/193,546. The Official Action objected to claims 1-10 as informal. Claims 1-3, 5, 6-8, and 10 were rejected under 35 U.S.C. §102(e) based on Dhar et al. U.S. Patent Publication No. 2002/0040339 A1 (Dhar). Claims 4 and 9 were rejected under 35 U.S.C. §103(a) based on Dhar in view of Fletcher et al. U.S. Patent No. 6,112,190 (Fletcher). These grounds of rejection are addressed below.

Claims 1, 4, 6, and 9 have been amended to be more clear and distinct. Claims 1 and 6 also have been amended to address the informality objections as discussed below. New claims 11-13 have been added to cover certain aspects of the present invention. Claims 1-13 are presently pending.

Typographical Errors in the Specification

During the preparation of this response, typographical errors were noted and are now being corrected in the specification. For clarification purposes, the paragraph beginning at page 7, line 14 has been amended to insert reference number 74 to correspond to the Workout button in Fig. 4. To make the reference numbers in the specification consistent with the reference numbers in the drawings, the paragraph beginning at page 13, line 3 has been amended to correlate the CICS interfaces in the specification with the appropriate reference numbers in Fig. 11.

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The paragraph beginning at page 13, line 10 has been amended to include a period after reference number 184 in the first sentence.

Priority

The present application does not claim priority of U.S. Provisional Application No. 60/193,546 filed March 31, 2000. The original Declaration erroneously made such a claim as a result of a typographical error in which a Declaration from a previous case was incorrectly used as a "go by." Although an amendment to remove such a claim from the Declaration was filed on March 5, 2002, it appears that that amendment was not accepted. A new Declaration is being prepared and will be submitted as soon as it has been executed by all of the inventors. This Declaration has omitted any reference to such a provisional application.

Informality Objections to Claims 1-10

Claims 1 and 6 have been amended to remove the objected to term "the decision analysis process." Furthermore, claims 4 and 9 have been amended to replace the wording "the user" with the wording "a user" to address the antecedent basis objection. Since claims 2-5 and 7-10 were objected to simply for being dependent on claims 1 and 6, this objection is now overcome.

The Art Rejections

As addressed in greater detail below, Dhar and Fletcher do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicant does not acquiesce in the analysis of Dhar and Fletcher made

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by the Official Action and and respectfully traverses the Official Action's analysis underlying its

rejections.

Claims 1-3, 5, 6-8, and 10 were rejected under 35 U.S.C. §102(e) based on Dhar. Dhar

addresses a workflow engine for rendering instant credit decisions to determine whether to

approve a consumer's loan application in order to establish a loan for the consumer. Dhar,

Abstract. In so doing, a lending institution receives loan application data which activates an

automatic decision analysis for "credit scoring, ratio analysis and other credit checks to meet the

selection criteria of each financial institution." Dhar, para. [0041]. Dhar's system may be used

merely to approve a loan application to establish a loan.

In stark contrast to Dhar, one aspect of the present invention addresses a system for

automatically obtaining loss mitigation loan workout decisions. In the context of the present

invention, a loan has been previously established between a lender and a borrower and the

borrower has violated one or more terms of the loan, for example, due to the borrower being

financially troubled and failing to make a payment or payments. Depending on the borrower's

qualifications and a proposed loss mitigation loan workout, the present invention automatically

approves the proposed loss mitigation loan workout if the proposal is within predetermined

guidelines.

Claim 1, as presently amended, reads as follows:

     1.   (currently amended): A system for automatically obtaining loss
mitigation loan workout decisions, comprising:
     a network of personal computers connected into a network administered
by a central server computer,
     each personal computer in the network including a network interface for
transmitting borrower inputs to, and receiving outputs from, the server computer,

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each personal computer in the network further including display screens for receiving inputs from, and providing outputs to, a financially troubled borrower, including <u>inputs and outputs relating to a proposed loss mitigation loan workout,</u>

the central server computer having a central processing unit that runs automatic workout decision analysis software, <u>wherein the analysis software analyzes information relating to a preexisting loan whose terms are not being met by the financially troubled borrower and other information relating to why the troubled borrower is financially troubled to determine whether to approve the proposed loss mitigation loan workout,</u>

the central server computer transmitting to the financially troubled borrower, automatically over the network, <u>approval of the proposed loss mitigation loan workout if certain predefined parameters are met and, if the predefined parameters are not met, providing further instructions to the financially troubled borrower.</u> (emphasis added)

Dhar does not disclose and does not make obvious a system for obtaining loss mitigation

loan workout decisions. Dhar merely performs decision analysis to approve a user's loan

application. Dhar's loan approval system does not disclose and does not make obvious analysis

software which "analyzes information relating to a preexisting loan whose terms are not being

met by the financially troubled borrower and other information relating to why the troubled

borrower is financially troubled to determine whether to approve the proposed loss mitigation

loan workout." Dhar's system merely addresses the loan generation business and, unlike the

present invention, does not address the situation when a borrower is in financial trouble and

requires a modification to the terms of the loan. See also claim 6.

Claims 4 and 9 were rejected under 35 U.S.C. §103(a) based on Dhar in view of Fletcher.

Fletcher fails to cure the deficiencies of Dhar as a reference. Fletcher addresses a system for

analyzing a prospective borrower's commercial credit to aid a credit officer in the risk

assessment and completion of a loan package. Citing Fig. 14 of Fletcher, the Official Action

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relies on Fletcher as purportedly disclosing the selection of "a workout type among a menu of predefined workout types." Applicants respectfully disagree. Fig. 14 of Fletcher shows a pull down menu for a loan analysis application. Fletcher does not teach and does not suggest "a loss mitigation loan workout type among a menu of predefined loss mitigation loan workout types," as presently claimed in claims 4 and 9. Furthermore, since claims 4 and 9 depend from and contain all the limitations of claims 1 and 6, respectively, as presently amended, claims 4 and 9 distinguish from the references in the same manner as claims 1 and 6.

Both Fletcher and Dhar teach systems that address loan approvals, thus, even if the teachings of Fletcher and Dhar were combined, the combined teachings would not suggest a system for automatically obtaining loss mitigation loan workout decisions as presently claimed.

New claims 11-13 have been added to address a computer-readable medium whose contents cause a computer system to automatically obtain loss mitigation loan workout decisions. Dhar and Fletcher do not disclose and do not make obvious this computer-readable medium as claimed.
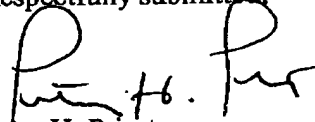
The relied upon references fail to recognize and address the problems in the manner advantageously addressed by the present claims. The claims as presently amended are not taught, are not inherent, and are not obvious in light of the art relied upon.

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Conclusion

All of the presently pending claims, as amended, appearing to define over the applied

references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,

Peter H. Priest
Reg. No. 30,210
Priest & Goldstein, PLLC
5015 Southpark Drive, Suite 230
Durham, NC 27713-7736
(919) 806-1600

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